Remarks/Arguments

Claims 1, 4-7, 9-15 and 22-24 are pending. Claims 1, 9, 10 and 13 have been amended. Claims 2, 3, 8 and 16-21 have been cancelled. New claims 22-24 have been added. Support for the new claims can be found throughout the specification. More specifically, support for newly amended claim 1 can be found in original claim 1 and page 5 of the specification, which defines the disintegrant. Claim 9 was amended to correct dependency. Claim 10 was amended so that the disintegrant no longer appears now that it is in new claim 1. Claim 13 was amended to better define the method of treatment. Support can be found on page 1, second paragraph of the specification. Support for new claims 22-24 can be found on page 2, paragraph 5.

35 U.S.C. 103(a) Rejection

Claims 1-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over the combined disclosures of Lattmann et al. WO 97/49395 in view of Patel et al. (U.S. Patent No. 5,698,221). The Examiner states that the '395 publication teaches a dispersible tablet formulation comprising deferasirox but that the '395 publication is silent to the specific concentration of these compounds. The Examiner relies on the '221 patent to disclose that the specific concentrations of these compounds as being are well known in the art. Applicants respectfully disagree.

It would not have been obvious to combine the specific formulation of the '221 patent with the formulation of the '395 publication because the '221 patent describes dispersible tablets using a different active ingredient that the active ingredient disclosed in the '395 publication and the present invention. The '221 patent describes dispersible tablets comprising Alzheimer's medications whereas the '395 publication and the present invention relate to formulations of deferasirox. More specifically, the '221 patent describes formulations comprising 2-amino-2-(4-methylpiperazin-1yl)-5-(2,3,5-trichlorophenyl) pyrmidine as the active ingredient. Therefore, Applicants argue that a person of ordinary skill in the art would not look to combine the teachings of the '221 patent with the '395 publication to arrive at the dispersible tablet formulations of the present invention.

With respect to the '395 publication, the '395 publication does not teach or suggestion how to make a dispersible tablet comprising the Compound I. The '395 publication generally describes various formulations. Paragraph 2 on page 8 of the '395 publication is a general statement on dispersible tablets. However, the '395 publication is not making any reference to a particular compound. Therefore, a person of ordinary skill in the art would not look to the teachings of the '395 publication to arrive at the formulations of the present invention.

The present invention relates to dispersible tablets comprising deferasirox or a pharmaceutically acceptable salt thereof present in an amount of from 5% to 40% in weight based on the total weight of the tablet, and at least one disintegrant in a total amount of 10% to 35% in weight based on the total weight of the tablet and processes for making these dispersible

tablets. Page 6, paragraph 3 of the specification discusses the difficulties encountered by the inventions when manipulating the active ingredient Compound I to prepare a dispersible formulation. These difficulties are not discussed or suggested in the prior art with respect to Compound I. Therefore, the present invention is non-obvious over the cited prior art Applicants respectfully request the 35 U.S.C. 103(a) rejection be withdrawn from consideration.

Entry of this Response is respectfully requested.

Respectfully submitted,

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